

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA,	)	
	)	
	)	
v.	)	CRIMINAL ACTION
	)	NO. 05-40006-FDS
HERIBERTO RODRIGUEZ,	)	
Defendant,	)	
_____	)	

STATUS REPORT  
June 24, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Completed except for one item that Mr. Rodriguez' counsel has requested from the Government.

2. Pre-Plea, Pre-Sentence Report

Mr. Rodriguez' counsel has requested time to file with Judge Saylor a motion for a pre-plea, pre-sentence report in order to expedite plea negotiations. Therefore, I have scheduled a further status conference in this case within approximately two weeks to allow Mr. Rodriguez' counsel to file a motion with Judge Saylor requesting a pre-plea, pre-sentence report. I am informed that the Government will assent to that motion.

3. Further Status Conference

A further status conference shall be held in this case on July 15, 2005, at 9:00 a.m., in Courtroom 16, Fifth Floor, John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Boston, Massachusetts.

4. Excludable Time

With the assent of counsel for the parties, I am excluding from the Speedy Trial Act, the period from June 23, 2005 (date of expiration of prior order of excludable time) through July 15, 2005 (date by which Mr. Rodriguez' motion requesting a pre-plea, pre-sentence report will have been filed and ruled upon). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Friday, September 23, 2005.

/s/Charles B. Swartwood, III  
CHARLES B. SWARTWOOD, III  
CHIEF MAGISTRATE JUDGE